

C. D. Michel, S.B.N. 144258
cmichel@tmlp.com
 W. Lee Smith, S.B.N. 196115
lsmith@tmlp.com
TRUTANICH • MICHEL, LLP
 180 E. Ocean Blvd., Suite 200
 Long Beach, CA 90802
 Telephone: (562) 216-4444
 Facsimile: (562) 216-4445

Attorneys for Defendant
 Action Metal Recycling, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Communities for a Better
 Environment, a California non-profit
 corporation,

Plaintiff,

v.

Action Metal Recycling, Inc., a
 California corporation,

Defendant.

CASE NO: C07-02768 JCS

**SUPPLEMENTAL JOINT CASE
 MANAGEMENT STATEMENT**

Pursuant to Civil Local Rule 16-10(d)

Magistrate Judge: Joseph C. Spero

Date: January 11, 2008
 Time: 1:30 p.m.

Pursuant to Civil Local Rule 16-10(d) Plaintiff Communities for a Better Environment ("Plaintiff") and Defendant Action Metal Recycling, Inc. ("Defendant") (collectively the "Parties") hereby submit the following Case Management Statement.

1. The Parties continue to work in good faith attempting to reach a settlement of this Action.

2. The Parties participated in a productive mediation session in November 2007, and since that time have had multiple discussions regarding settlement offers made by Plaintiff.

3. The Plaintiff's most recent settlement offer (*i.e.*, a proposed consent

1 decree) was presented to Defendant on or about November 26, 2007, and was
2 formally rejected by Defendant on December 18, 2007; the Parties agreed,
3 however, that Plaintiff would present a revised proposed consent decree to
4 Defendant (and that Defendant would give good faith consideration thereto) prior
5 to the Case Management Conference scheduled in this matter for January 11, 2008.

6
7 DATED: December 27, 2007

**COMMUNITIES FOR A BETTER
ENVIRONMENT**

8
9
10 s/Shana Lazerow
Counsel for Plaintiff
11 E-mail: slazerow@cbecal.org

12
13 DATED: December 27, 2007

TRUTANICH • MICHEL, LLP

14
15 s/W.Lee Smith
16 Counsel for Defendant
E-mail: lsmith@tmllp.com
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Communities for a Better
Environment, a California non-profit
corporation,

Plaintiff,

v.

Action Metal Recycling, Inc., a
California corporation,

Defendant.

CASE NO: C07-02768 JCS
CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Shana Lazerow
Counsel for Plaintiff
E-Mail: slazerow@cbeval.org

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 27, 2007.

s/W. Lee Smith
Counsel for Defendant